

Form 213

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Ronnie Michael Kelly Sr.
aka Ronald M Kelly Sr.
Debtor(s)

Bankruptcy Case No.: 16-10566-TPA
Related to Docket No. 80
Chapter: 13
Docket No.: 81 – 80
Concil. Conf.: 3/5/19 at 09:30 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **January 28, 2019**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **February 19, 2019**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.


On **3/5/19 at 09:30 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: December 12, 2018

cm: All Creditors and Parties In Interest


Thomas P. Agresti, Judge
United States Bankruptcy Court

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 3
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Ronnie Michael Kelly, Sr.
 Debtor

Case No. 16-10566-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 213

Page 1 of 1
 Total Noticed: 12

Date Rcvd: Dec 12, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 14, 2018.

db +Ronnie Michael Kelly, Sr., PO Box 232, Sheffield, PA 16347-0232
 cr +Ditech Financial LLC, 14841 Dallas Parkway, Suite 300, Dallas, TX 75254-7883
 14951092 +Chalet Properties III, LLC, c/o BSI Financial Services, 1425 Greenway Drive, Ste 400,
 Irving, TX 75038-2480
 14244272 +Everhome Mortgage Co / Ever Bank, Attn: Bankruptcy Department, 301 West Bay Street,
 Jacksonville, FL 32202-5184
 14244273 +KML Law Group PC, Suite 5000 - BNY Independence Center, 701 Market Street,
 Philadelphia, PA 19106-1538
 14244274 ++NORTHWEST SAVINGS BANK, P O BOX 337, WARREN PA 16365-0337
 (address filed with court: Northwest Savings Bank, PO Box 1793, Warren, PA 16365)
 14255598 +Northwest Bank, Attn Angela Abreu, 100 Liberty Street, P.O. Box 128,
 Warren, PA 16365-0128
 14244275 +Progressive Insurance Company, 6300 Wilson Mills Road, Cleveland, OH 44143-2182
 14290758 +Upmc Community Medicine, 6681 Country Club Drive, Golden Valley MN 55427-4601

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14244270 +E-mail/Text: bankruptcy_notifications@ccsusa.com Dec 13 2018 04:02:46
 Credit Collections Service, Po Box 773, Needham, MA 02494-0918
 14244271 +E-mail/Text: bankruptcy.bnc@ditech.com Dec 13 2018 04:00:09 Ditech Financial LLC,
 Po Box 6172, Rapid City, SD 57709-6172
 14323912 E-mail/Text: bankruptcy.bnc@ditech.com Dec 13 2018 04:00:09
 Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154,
 Rapid City, South Dakota 57709-6154

TOTAL: 3

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Chalet Properties III, LLC
 cr Ditech Financial LLC

TOTALS: 2, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 14, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 12, 2018 at the address(es) listed below:

Daniel P. Foster on behalf of Debtor Ronnie Michael Kelly, Sr. dan@mrdebtbuster.com,
 clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
 James Warmbrodt on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com
 Joshua I. Goldman on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com
 Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
 Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5